



AETC News Clips

Randolph AFB, Texas



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Privacy at issue in AFA assaults

By Miles Moffeit
Denver Post Staff Writer

In their darkest moments, many rape victims at the Air Force Academy have turned to Jennifer Bier for secret counseling, knowing their words would not be leaked outside her Colorado Springs crisis center.

"Nothing will leave this room," the therapist would tell cadets and others who could not obtain the same privacy protections within the military.

Now, Bier's promise is being put to the test.

Despite facing a possible arrest by federal marshals, she is defying an Air Force subpoena from Texas to hand over records of her treatment sessions with Jessica Brakey, one of the first women to blow the whistle on the academy's poor handling of sex-assault cases.

"To turn them over would be to violate my code of ethics," Bier said Wednesday. "There's a bigger picture here. I have counseled hundreds and hundreds of women, and their voices are ringing in my ears. This is their worst fear."

Lawyers for 2nd Lt. Joseph Harding, a former Air Force Academy cadet whom Brakey and another woman have accused of sexual assault, are seeking Bier's records for use in his criminal trial later this year at Randolph Air Force Base in Texas. They declined to comment about why they want the records. The judge, David Brash, has said he plans to review the materials himself before admitting them.

Bier, who has yet to hire a lawyer, isn't willing to budge even on that, citing Colorado statutes that shield discussions between mental-health providers and their patients from any public airing, even court-ordered reviews. However, the criminal case is being litigated in a federal military court, where such a defense may not apply.

In a single-spaced letter to Randolph officials politely objecting to the request, Bier cited Colorado's shield law, stressing that victims of sexual assault must be guarded from humiliation and embarrassment to "enhance effective treatment."

Her move is being applauded by Colorado victim-rights groups that have pledged their support, saying therapists have legal and moral obligations to treat their discussions with clients as sacred. Public disclosure would frighten other victims and perhaps keep them from coming forward, said Cynthia Stone, spokeswoman for the Colorado Coalition Against Sexual Assault.

"The way her ethics are bumping up against military law is very interesting," Stone said. "This confidentiality issue in the academy sex-assault cases has been huge. One of the reasons many cadets wouldn't go forward is because they feared they would be blamed and vilified."

But Bier is facing mounting pressure from Randolph authorities to comply with the order by Friday. Or else, she has been told this week, federal marshals could be sent to her office to take her to Texas for a hearing.

"Using the federal marshals is on the extreme side," said Capt. Charles Warren, an assistant prosecutor at Randolph. "But we all have to work within the process."

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That process is the military justice code, a unique set of federal rules and regulations that contains a weaker shield law governing therapists' communications with patients, according to experts.

Although the Pentagon is revising its sexual-assault policies and embracing stronger confidentiality protections for victims, questions remain about whether that will affect the military's shield law.

Bier, who has counseled several cadets, including Brakey, was the first person to reveal the large numbers of academy women - more than 50 - ringing the buzzer at her shelter since the early '90s. That revelation widened the investigation of rapes at the academy.

In recent weeks, she has had to explain to her family that she could go to jail for doing her job. That could leave more than 30 patients in her Cheyenne Counseling private practice without a therapist indefinitely.

"I talked to my daughter about this last night, and she was very impassioned by this," Bier said. "She said, absolutely, for me to do what I need to do to stand up for these women.

"She said it with this sweet little face, and I knew I was doing the right thing."

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Role of women in military recalled

BY MITCH MEADOR

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ALTUS AIR FORCE BASE — Retired Brig. Gen. Wilma Vaught is often heralded as the first woman general in the Air Force, but she set the record straight when she spoke at the National Women's History Month luncheon here Thursday.

"I was the first one in the comptroller field of any of the armed forces," she quipped.

Now president of the board of directors for the Women in Military Service For America Memorial Foundation Inc., she urged anyone visiting Washington between now and Veterans Day to see the "Faces of the Fallen: America's Artists Honor America's Heroes" exhibit hosted by the foundation at Arlington National Cemetery. The exhibit has five tiers of portraits representing each American service member killed in the war on terrorism up through Veterans Day 2004.

Vaught said the Women in Military Service for America Memorial is an education center, a place of remembrance and a ceremonial site. When she was in the service, she couldn't find any books by and about women in the military, but today the gift shop there sells more than 250. Any woman who has ever served can register her experience so it can be shared with other visitors.

Spurred by the Vietnam veterans' need to be recognized for their contributions, women sought the memorial as a way of recognizing the women who served in World War II, who were

never properly thanked and have never really been welcomed in the veterans' organizations, Vaught said.

Now, the first commemorative coin to recognize the contributions of women in service has been issued, and a second commemorative stamp has appeared, she noted.

The speaker keyed into the "Women Change America" theme by highlighting the stories of American military women who changed the nation.

She opened with a poem written in response to a challenge she issued at the Bedford, Pa., Veterans Administration facility. Everybody knows about the midnight ride of Paul Revere, but nobody knows about Sybil Ludington, the small 16-year-old who, dressed as a man, rode 40 uncharted miles on a stormy night in 1777 to muster 400 Minutemen at her father's farm.

The muster came too late to foil the Britishers' plan to burn the town of Danbury, Conn., but the Minutemen did succeed in pushing the British back to the ships in Long Island Sound.

Women first began to have a real presence in the military in World War I, when they served in the Army Nurse Corps and the Navy Nurse Corps. The Secretary of the Navy decided it would hasten the war's end if he brought in women to do some of the clerical jobs, freeing up men for combat roles. There were 12,000 women with the rank of yeoman in the Navy and 305 in the Marine Corps.



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Their willingness to stand up and swear an oath to defend their country became one more argument for passage of the Suffrage Act. One of those yeomen, a 101-year-old California woman, traveled to Washington to speak to some 40,000 people at the dedication of the Women in Military Service for America Memorial, and it still irritated her that women could not vote while she was in the service, Vaught said.

During World War I, military nurses had no rank, but that caused pay problems, so they were later given "relative rank" with no power to issue orders. Nurses serving in World War II did get rank.

"In World War II we had women serving in all branches of service, every theater of operations. They did things women had never done before," the speaker said.

They did so well that leaders wanted a permanent corps of women established, and on June 12, 1948, the Women's Armed Services Integration Act was passed. Vaught then told the stories of several women whose victories in court helped to bring about equality.

- In 1953, Sarah Keys, now Evans, was a 24-year-old African-American private in the Women's Army Corps taking her first leave from Fort Dix, N.J., to the family farm in North Carolina. When the bus crossed the line from Virginia into North Carolina, she was told to move to the back of the bus and refused. She was arrested, put in jail overnight and fined \$25. She talked to her father about it, and he went to



VAUGHT

the National Association for the Advancement of Colored Peoples (NAACP) for help.

Dovey Roundtree, who had suffered similar injustices as a captain in the Women's Army Corps in World War II, took the case. Initially, it was thrown out, but after *Brown vs. the Board of Education*, she applied to the Interstate Commerce Commission. The ICC ruled it was unlawful to discriminate on citizen interstate travel.

This was in November 1955, one month before Rosa Parks refused to move to the back of another bus, Vaught observed.

Evans paid a price for her victory. Some of the senior leadership at Fort Dix was very upset with her stand, and afraid they would try to arrange for her to get something other than an honorable discharge, she left the Navy two years before she had intended.

- In 1969, a lieutenant commander by the name of Alice Cook was discharged from the Navy Nurse Corps after becoming pregnant. She had been in the Navy for more than 12 years and had intended to stay until retirement. It took 10 years, but the 4th U.S. Court of Appeals ruled in 1977 that the act requiring women with minor children to leave the military was unconstitutional.

Cook got 10 years' back pay and was



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reinstated with a chance to complete her military career.

"That didn't just change the military, it changed things for civilian women in other types of jobs," Vaught said.

- In December 1970, Air Force 1st Lt. Sharon Frontiero, a physical therapist, filed a class action suit against the Secretary of Defense because she was married to a civilian, but as a woman, drew single soldiers' quarters allowance and could not get married housing on the base to which she was assigned.

"You should sue and you surely shall win," she was advised, but Vaught said, "She did sue, and she surely did not win. The court ruled in favor of the DoD, and she felt that was that."

But the American Civil Liberties Union took up the cause, and in May 1973 the Supreme Court issued a landmark decision, saying the military could not have different rules for women than for men in the case of benefits. Massive numbers of people benefited from Frontiero's case, but she did not — she was out of the Air Force and divorced by that time.

- On July 1, 1977, two Navy E-5's sued the Secretary of the Navy because they had special skills but were being denied the opportunity to go aboard the ships where they could apply their training. Judge John Sirocco ruled that the Navy women were being denied equal protection.

- Unresolved issues remain even today. Recently, Lt. Col. Martha McSally, a U.S. Air Force fighter pilot, sued the Secretary of Defense because she was required to wear a burqa when she went into town in Saudi Arabia. She felt this was not only demeaning to her as a woman and an officer, but a violation of her religious freedom, because she was being made to comply with a religious tradition that was not hers.

Her case never went to court because Congress passed legislation striking down the requirement. She is a squadron commander at Davis-Monthan Air Force Base in Tucson, Ariz.



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Lott concerned Pascagoula destined for base closing list

The Associated Press

PASCAGOULA — U.S. Sen. Trent Lott says a lack of multiple missions at Naval Station Pascagoula could make it a prime target for a new round of base closings.

"I'm more worried this time than I ever have been before because of the size of it (base closings), because of the attitude in the Pentagon — in the Secretary of Defense's Office — and because of the fact that the base is not multi-missioned," Lott told The Mississippi Press editorial board Tuesday.

Defense Secretary Donald Rumsfeld, Lott said, "has said that we need to eliminate close to 25 percent of our capacity. I misinterpreted that, and so do a lot of other people. I took that to mean 25 percent of our bases.

"It was 25 percent of capaci-

ty, which may mean only 12 percent of bases, because a lot of our excess capacity is in depots and facilities like that," said Lott, R-Miss.

Congress authorized the fifth round of Base Realignment and Closure — commonly known as BRAC — last year. The BRAC list is expected to be released on May 16.

Mississippi, Lott said, has been fortunate not to lose a base during the previous BRAC rounds.

"We have benefited from previous rounds," Lott said. "An Air Force base was closed in Illinois and a lot of its functions were moved to Keesler (Air Force Base in Biloxi), and it is possible this time that instead of closures, you could see some realignments."

That could affect Mississippi, especially if this BRAC realigns either

Columbus Air Force Base or Naval Air Station Meridian, which are both pilot training bases.

If BRAC goes forward, he said, one area the commissioners will look is at the number of missions that are carried out from a base.

"If you have a multi-mission operation or facility, the odds are much greater that you would stay that way," Lott said. "Keesler is a multi-mission facility.

"We've only been able to have the drug interdiction and the cruisers and frigates that we have out here (Pascagoula), plus we've added more Coast Guard capacity."

The two Coast Guard patrol cutters were brought to Pascagoula to get it a dual capacity, he said, but the naval station's future is not as defined as it should be.

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Retirees air complaints over military benefit

[By Bill Sontag](#)

Del Rio News-Herald

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Diminishing budgets, staff transfers, health care contract changes and increasing reliance on Del Rio medical providers brought out a large, vociferous crowd to a Laughlin Air Force Base "Town Hall Meeting."

For the most part, this group was very short on satisfaction with current medical services.

The base theater at Laughlin Air Force Base held an audience of about 200 in a two-hour presentation and question-and-answer session Tuesday night.

Most of the evening, Col. (Doctor) Laura Torres-Reyes, commander of the 47th Medical Group, strove to put an encouraging and upbeat "face" before the assemblage of mostly gray- and silver-haired health program beneficiaries.

Torres-Reyes, affectionately called "Colonel TR" by work associates, welcomed the large audience and presented an audiovisual program illustrating "successes" of the 47th Medical Group, including ongoing renovations to the base clinic, stripped of "hospital" status several years ago.

She asked for a show of hands from those who had used the new Health and Wellness Center in the base's sprawling new Fitness Center.

Torres-Reyes showed her disappointment at the small number of those who are taking advantage of this health-enhancing service.

Torres-Reyes informed participants that an independent contractor is now engaged in calling all beneficiaries when medical services are rendered to ascertain levels of satisfaction and suggestions for improvements.

The "Service Delivery Assessment" yields a monthly "report card" for Torres-Reyes' examination and action.

Then Torres-Reyes opened the floor to questions and comments, and the beneficiaries responded without hesitation.

Comments ranged across the spectrum of clinic and medical services, referral procedures, eligibility for specific maladies, prescription services, and general antipathy toward using Val Verde Regional Medical Center for emergencies and outpatient services.

Frustration ran high regarding changes in TRICARE, the military health insurance program negotiated by Department of Defense on behalf of active duty, reserve, National Guard, and retired military personnel.

The efficacy of communications about all these issues wove as a thread of continuity through the comments delivered from the floor, as technicians with cordless microphones hustled to make everyone heard.

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Torres-Reyes not only acknowledged the veracity of many complaints heard, but offered specific recommendations to the beneficiaries about their role in seeking and realizing solutions.

She also presented the “bad news” with the “good.”

As an example, a commonplace summertime purge of physicians on staff at the clinic is one of Torres-Reyes’ imminent challenges.

She expects to lose six of the nine physicians on staff to “permanent change of station” (PCS) orders.

Lt. Col. Robin Squellati affirmed that the medical group is recruiting intensively to fill those gaps as soon as possible, stating, “Yes, we’re on the phone every day.”

Torres-Reyes and her staff, at times, had to step back and admit that certain issues were out of their hands at this level, but the phrase, “The reasons why we can’t do that are ...” was heard too often to satisfy many participants.

And some TRICARE beneficiaries were unswayed about the value of improvements to the Laughlin Clinic.

One asked Torres-Reyes, “What are we going to get for our \$7.1 million-building? So, we have a nice waiting room, but we’re losing our services.”

Services were the name of the game for most attendees.

Retired Staff Sgt. Merle Dengate rose to ask Torres-Reyes why new procedures require so much time before a referral to a physician can occur.

Explaining that he’s had a request on file since July 2004, Dengate clearly took Torres-Reyes by surprise.

“That’s way too long!” she said, and asked Dengate to contact her office immediately to get the matter straightened out.

Considerable confusion was expressed by many regarding how to use VVRMC emergency and outpatient services, particularly in regard to the hospital’s announced shift to “fast track” urgent care as an alternative to full emergency services when patients arrive for care.

Squellati explained Wednesday that TRICARE covers all costs of emergency care: “The patient will not be billed.”

But, she explained, a referral from the patient’s Primary Care Manager is necessary to obtain coverage for “fast track” services.

For that reason, beneficiaries were admonished Tuesday night to obtain the referral before agreeing to “fast track” service.

If circumstances prohibit doing so, Squellati assured that the paperwork could be executed after the fact.

One participant Tuesday night expressed disdain for “six- to eight-hour waiting times” at VVRMC emergency room, and another, a Bracketville resident, said, “I haven’t heard anything good about Val

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Verde.” Both commenters asked if they are authorized under TRICARE to seek service in Uvalde, and they were assured they were.

In addition, the audience was informed that as of Friday clinic physicians would no longer admit TRICARE beneficiaries to VVRMC; physicians on staff at the hospital will handle all admissions.

“Not every doctor in Del Rio has hospital privileges (to admit patients to the hospital), and we need to take care when we’re selecting a doctor to treat us,” Barbara Plyler, TRICARE beneficiary admonished Wednesday night after she attended the Town Hall meeting Tuesday.

TRICARE beneficiaries, according to Squellati, may utilize not only emergency care, but outpatient services as well, such as MRIs and other radiology assessments, bone density scans, physical therapy and stress tests.

Retired Master Sgt. David Scarbo commented, “Going to Val Verde and waiting eight hours is b.s.!”

Audience applause accompanied that remark as well as Scarbo’s statement that he was involved for much of his career at Laughlin in developing medical services: “And I was always taught that ‘patient care’ means ‘taking care of the patient,’ not ‘being patient with the care you’re receiving.’”

Torres-Reyes assured Scarbo, “Yes, we want to take care of people, but we have a limited number of bodies.”

Medical group staff received occasional, understanding expressions of support. Beneficiary Barbara Plyler explained to Torres-Reyes, “Health care is a security blanket for us all, when we don’t want to go downtown, and need to be seen here...I don’t think I want to be weaned.”

Plyler urged attendees to write congressional representatives about their concerns regarding TRICARE.

She also suggested attendance at hospital board meetings to keep abreast of their activities.

Another person rose in support of clinic staff: “We’ve had nothing but good service.” And another: “There are good people over there who care.”

One beneficiary summarized to Torres-Reyes, “If you communicate with us, we’re happy. And when you don’t communicate with us, we’re UN-happy.”

Following the meeting, Torres-Reyes expressed agreement that the intricacies of TRICARE, changing clinic service and the increased role of local health care providers suggest more and better communications with beneficiaries.

Torres-Reyes already has a weekly information column, “What’s Up, Doc?” in the The Border Eagle, the base newspaper.

Free copies of each weekly edition are available at many locations, including the offices of the Del Rio News-Herald, 2205 North Bedell Ave.

Torres-Reyes said she would consider the possibility of hosting similar Town Hall or focus group events on a more frequent and regular basis to hear beneficiary concerns and to provide current information.

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